Remarks

In response to the Office Action mailed June 28, 2005, rejecting claims 1 and 4-10, Applicant respectfully requests reconsideration.

Claims 1 and 4 had been rejected as anticipated by Itoh. Claim 1, as most recently amended prior to the Office Action, clearly states "the FET being symmetrical with respect to the second and third terminals." The Office Action correctly reflects an understanding that this language means the drain and source terminals of that FET are interchangeable. Applicant has reviewed Itoh, which Applicant obviously had read prior to making such amendment, and Applicant still does not find a disclosure of a symmetrical FET. The Examiner cites to column 1 of Itoh at the end of the rejection, to apparently indicate a belief that Itoh shows a symmetrical FET, but it is not really clear how much of the claim he believes he has found in column 1. In any event, he does not identify any language which states or suggests that Itoh's MOSFET is constructed symmetrically and Applicant's reading and re-reading of Itoh does not reveal any such disclosure or suggestion. Consequently, the Office Action fails to set forth even a *prima facie* case of anticipation. Accordingly, reconsideration and withdrawal of the rejection are requested.

In support of this request, Applicant further notes that, as previously explained, the FET symmetry is not an insignificant issue as it enables the method of claim 6.

Consequently, claim 1 and the claims dependent therefrom are patentable over Itoh.

We turn next to the rejections of claims 1 and 4-10 as anticipated by Butler '139. Reconsideration is requested in light of the above amendment of claims 1 and 5, and the following remarks.

In the rejection, the Examiner indicates a belief that Butler shows a one-transistor gain element at T2 which meets the requirement for having an input connected to receive a signal from the storage element, and that it is constructed and arranged to selectively provide a corresponding output signal to a second data line, which the Office Action maps to line 31. Manifestly, transistor T2 does not connect directly to line 31, but does so through transistor T3.

Thus (1) transistor T2 is not a one-transistor gain element since the gain element is the combination of transistors T2 and T3; and (2) if transistor T2 were read as the "one-transistor gain element", then it does not provide an output signal to data line 31. It needs transistor T3 to do so. Thus, Butler does not anticipate claim 1. Moreover, and to reinforce this difference, claim 1 has been amended now to state that it "consists essentially of", rather than that it "comprises", the indicated elements; and to state that the gain element "consists essentially of" a FET, rather than that it simply "comprises" a FET. By eliminating the totally open term "comprising" in both instances, the claim has been restricted to the gain element being essentially a single FET, not two FETs, whereby the second terminal of the FET will be understood to be substantially directly connected to the second data line. The memory cell of claim 1 thus eliminates a transistor that Butler requires.

Moreover, Butler does not, so far as Applicant can tell, disclose the symmetry requirement for the gain FET and it would not be sufficient, given the combination of transistors T2 and T3 for T2 to be symmetrical.

For the foregoing reasons, it is clear that claim 1 is not anticipated by Butler.

Claim 5 is the next independent claim. It patentably distinguishes over Butler in multiple respects. First, as with respect to claim 1, it now recites that the gain element consists essentially of a FET, rather than it merely comprises a FET. Second, it requires "a first select signal line running through the array in a first direction" and "a second select signal line running through the array in a second direction." This arrangement is not shown in Butler and, indeed, the Office Action does not even indicate where, according to the Examiner's reading, he can find the first and second select signal lines running in different directions. Accordingly, the Office Action does not even make out a *prima facie* basis for an anticipation rejection; there is no basis for such a rejection, and the rejection should be reconsidered.

Relative to claim 6, which is a method claim for addressing an array of memory cells, the Examiner deals with the issue of directionality by referencing the statement in the abstract referring to writing in a first direction and reading in a second direction "opposite" the first

direction. However, the Examiner misconstrues the meaning of the word "opposite", when he equates it to "orthogonal." In this case, Applicant's claim requires orthogonal directions (e.g., horizontal and vertical) but Butler merely means ascending order versus descending (e.g., up and down) order along a same axis or direction. That is, Butler refers to vertical up and vertical down as two different directions whereas the claim language requires vertical and horizontal. There is no orthogonality to Butler's "two" directions. Butler makes this abundantly clear in various places such as, for example, in his claim 6 and in his Summary of the Invention section at column 2, lines 37-49. This same conclusion is reached when inspecting Butler's drawings. No orthogonality is revealed. Thus, the method of claim 6 is novel over Butler.

As all of claims 1 and 4-10 are novel over Butler, reconsideration and withdrawal of the rejection are requested.

The allowance of claims 11-13 is noted with appreciation.

CONCLUSION

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,

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